

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

VICKI L. SURBER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 04-0920-CV-W-NKL-SSA
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pending before the Court is Defendant's unopposed Motion to Reverse and Remand [Doc. 14]. The Commissioner claims that the Administrative Law Judge's decision was deficient, but that the deficiency was not discovered until recently, when the case reached the Defendant's legal counsel for briefing. The Commissioner has stated that remand would provide the Plaintiff with an opportunity to cross-examine the vocational expert.

Accordingly, it is hereby

ORDERED that Defendant's Motion to Reverse and Remand [Doc. 14] is GRANTED. The decision of the Administrative Law Judge is REVERSED and the case is REMANDED for further consideration, pursuant to sentence four of 42 U.S.C. § 405(g). The Clerk of the Court is directed to enter a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: June 7, 2005
Kansas City, Missouri